

(SRI A. G. RAMACHANDRA RAO.)
the criticisms to accord as much as possible with the public opinion.

Sri Mulka GOVINDA REDDY.—But you said that rules are being framed.

SRI A. G. RAMACHANDRA RAO.—Not finalised. All steps leading to finalisation have been taken and therefore the charges of delay or want of seriousness or earnestness have no legs to stand.

Hon'ble Member Sri Linga Reddy said that the premium payable by a tenant-at-will is a little more than what is payable by other tenants.

SRI MULKA GOVINDA REDDY.—I said so.

SRI A. G. RAMACHANDRA RAO.—Both of them said so. I submit it is quite right because a tenant-at-will gets more rights than other tenants; therefore he has got to pay a little more. It is based on that reason.

The large question of making the tiller of the soil the owner—that policy has been accepted and is being implemented. Meanwhile we have to provide for the existing conditions in society. We placed the Tenancy Act before this House. If the House did not want that Act but wanted something else, nobody would have prevented that, but the House wanted it because the present demands of society required it. Therefore to say 'Don't bring this kind of legislation' would mean not living in a land of reality but somewhere else. The Legislature mirrors the conditions of the society at the time the Legislature meets. So we are answering the needs of the society and not visualising or speculating in bringing forward a legislation. There was necessity for tenancy legislation and we have brought it and the House approved of it and any remarks made by any one member will not carry much weight.

With these remarks, I submit that the Bill be taken into consideration.

MR. SPEAKER.—The question is:

"That the Mysore (Personal and Miscellaneous) Inams Abolition (Amendment) Bill, 1956, be taken into consideration."

The motion was adopted.

MR. SPEAKER.—Clauses. Clauses 2 to 6, both inclusive. The question is:

"That Clauses 2 to 6, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 6, both inclusive, were added to the Bill.

MR. SPEAKER.—Clause 1. The question is:

"That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

MR. SPEAKER.—Title and Preamble. The question is:

"That the Title and the Preamble stand part of the Bill."

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

SRI A. G. RAMACHANDRA RAO.—Sir, I beg to move:

"That the Mysore (Personal and Miscellaneous) Inams Abolition (Amendment) Bill, 1956 be passed."

MR. SPEAKER.—The question is:

"That the Mysore (Personal and Miscellaneous) Inams Abolition (Amendment) Bill, 1956, be passed."

The motion was adopted.

MYSORE MINES (AMENDMENT) BILL, 1955.

Motion to consider.

SRI A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, I beg to move:

"That the Mysore Mines (Amendment) Bill, 1955, be taken into consideration."

While so moving, I may bring it to the notice of the House that in the

draft Bill we have said "Mysore Mines (Amendment) Bill, 1955." It ought to be "Mysore Mines (Amendment) Bill, 1956."

Mr. SPEAKER.—Government have sent the amendment.

Sri A. G. RAMACHANDRA RAO.—And also :

"Be it enacted by the Mysore State Legislature in the Sixth year of the Republic. . . ."

It should be "seventh year."

Mr. SPEAKER.—That is only consequential.

Sri A. G. RAMACHANDRA RAO.—This is a long pending measure. At present the K.G.F. Sanitary Board and the Mining Board between them share the responsibilities of providing municipal amenities in that area. Some nominated members are looking after that and the residents or the citizens moving in that area are not having any citizenship rights or control over the provision of those amenities. This was brought to the notice of the Government and the Government very carefully considered the present situation, consulted with the mining authorities, consulted with the local authorities, political and others and also leading citizens and have drafted this Bill and placed it before the House for consideration. The important aspect is this. We have reduced the quantum of nomination; we have in fact conferred rights on the citizens to return 19 members to the Board on the basis of adult suffrage and we have also enhanced the powers of the Board. These are the important aspects of this piece of legislation.

I may bring it to the notice of the House one important aspect to which we have referred in the Statement of Objects and Reasons.

"Within the jurisdiction of the existing Sanitary Board the Mining Board is functioning in the mining area in respect of sanitation, water supply, lighting, etc., the Sanitary Board having only the right of levying octroi and toll in respect of the mining area. . . ."

They were not doing any other function.

"In the new arrangements proposed under the draft amending Bill the Sanitary Board will continue to function as the Municipal authority over the area over which it is functioning now, the mining area being excluded from its jurisdiction under Section 34 of the Mysore Mines Act. The Sanitary Board will be reconstituted under the basis of adult franchise with a reduced number of nominated seats and an elected majority. . . ."

For the present we have said in view of the important interests :

"The Deputy Commissioner will be the *Ex-officio* President and the Vice-President will be elected."

I may submit that though this might not go the whole hog of making it a fully elected body and conferring powers as the other municipalities are enjoying, still the greatest measure of authority has been vested under the draft Bill, in the Sanitary Board and I submit that this may be taken into consideration.

Mr. SPEAKER.—Motion moved :

"That the Mysore Mines (Amendment) Bill, 1955, be taken into consideration."

Sri Mulka GOVINDA REDDY (Chitaldrug).—I want a clarification from the Hon'ble Minister. It is stated in the Statement of Objects and Reasons—

"Within the jurisdiction of the existing Sanitary Board the Mining Board is functioning in the mining area in respect of sanitation, water supply, lighting, etc., the Sanitary Board having only the right of levying octroi and toll in respect of the mining area. In the new arrangements proposed under the draft amending Bill the Sanitary Board will continue to function as the Municipal authority over the area over which it is functioning now, the Mining area being excluded from its jurisdiction.

(SRI MULKA GOVINDA REDDY.)

under Section 34 of the Mysore Mines Act."

What exactly is the difference, may I know?

SRI A. G. RAMACHANDRA RAO.—

It is here alone. I will further explain. When the Sanitary Board is levying octroi and receiving tolls in respect of the mining area it is normal expectation that it should provide municipal facilities, namely, water supply, lighting etc. That function it is not doing now. It is the Mining Board that is attending to that. They have been providing water, lighting and other facilities at their cost as it were. And there is no representative on the Sanitary Board of the Mining Board but the Mining Board has taken up this and doing the functions. Now what we propose doing is, in the Mining Board area the Sanitary Board will not have any authority. The Mining Board will have representation on the Sanitary Board by the method of nomination which is fixed at five. Will it is expected it may be fixed at 8. Some arrangement may be arrived at with regard to that. That is why I said already that it is an advisory body. The best possible arrangement under the circumstances has been put forward in the enactment. I believe the Hon'ble Member is satisfied.

In the Mining area the Sanitary Board has not been functioning or doing anything to-day. But in the area under the Sanitary Board the Sanitary Board will have all the municipal functions. The Mining Board which has taken up all these responsibilities will be represented by the nomination of 5 members on the Sanitary Board.

SRI K. S. VASAN (Kolar Gold Fields).—I generally welcome this amending Bill. But I will have to qualify my welcoming saying that this Bill does not at all satisfy the aspirations of the people of Kolar Gold Fields. For a number of years past they have been agitating that the status of municipality be given to the Kolar Gold Fields. The previous Government in the previous Assembly

brought forward the Kolar Gold Fields Municipal Bill and that was referred to a Select Committee but before the Select Committee could report on that, that House was dissolved. And in 1952 again another Bill was placed before this House. That Bill also went before a Select Committee and the Committee reported to this House that due to certain technical and other difficulties of having two municipal bodies to administer the mining area and the non-mining area in the Kolar Gold Fields, the Government may again bring forward one or two Bills constituting a municipal body in that area. But till now they have not brought forward that bill. Now, since this Government had assured us on a number of occasions that the Sanitary Board would be raised to the status of a city municipality this amending Bill is brought forward just to reconstitute the existing Sanitary Board. But this will not fully satisfy the aspirations of the people in the Kolar Gold Fields. However, I have to concede that this will be a definite improvement over what it is there today.

The Sanitary Board as it is now constituted consists of nominated members and there are only 7 elected members, elected on restricted franchise. Though this Bill confers on the Board the right to have more elected members on the basis of adult franchise, there are certain other features here which will not satisfy the aspirations of the people there. Firstly, even now a nominated President is sought to be imposed on the Sanitary Board. He is the Deputy Commissioner, though the Government have on a number of occasions assured us that they would provide for an elected President for the Board.

It is here provided for five nominations by the Mining Proprietor. It is not necessary at all. Now there are only three Mining Companies and a Central administration and it is enough if they are given one or two seats if it is found necessary for co-ordinating municipal activities in the mining area and the non-mining area.

Further, it is said that representation is given to the Mining Companies only

to make them pay certain contributions towards maintaining hospitals and schools in the non-mining area. I do not know if it is at all necessary. Five more members are sought to be nominated by the State Government: one to represent Labour, one to represent the Scheduled Castes, one to represent Women. More than one-third of the working population of the K. G. F. City are living in the non-sanitary Board area and only one representative for them is not enough. The bulk of the population in the city is of the Scheduled Castes and only one to represent their interest will not be adequate. I suggest that with this improvement in the Bill, the Bill may be referred to the Select Committee. I approve of the spirit of the Bill.

Mr. SPEAKER.—You can speak about it afterwards.

Sri P. M. SWAMIDURAI (Kolar Gold Fields-Scheduled Castes).—Sir, I generally welcome this Bill with certain observations. It is quite true that the Government had promised to give the status of a municipality and with that object they introduced the latest Municipal Bill in the year 1952 which was referred to a Select Committee and the Select Committee returned the Bill with an advice that another suitable Bill may be introduced in this Assembly. But I think the Government felt that on account of the prevailing circumstances in the K. G. F. it was not possible to introduce the Municipal Bill. Anyhow the people of K. G. F. are anxious to have the status of a municipality. As my friend Sri Vasan had just now said, while the people are expecting to have a Municipal Bill introduced, the Mysore Mines (Amendment) Bill of 1955 is introduced. To that extent at least I welcome it.

In clause 2 it is proposed to give only one seat for a Scheduled Caste member. That is guaranteed. No doubt any number of members can contest the elections. But there may not be any guarantee for the Scheduled Castes people to come into the Sanitary Board and so probably only one is guaranteed, as per this Bill. The present Board has two representatives from Scheduled Castes.

Mr. SPEAKER.—The Hon'ble Member has sent an amendment in respect of that and he can speak about it at the time of taking up amendments to clauses when they are placed before the House.

Sri P. M. SWAMIDURAI.—I am only explaining. If the Hon'ble Minister gives a suitable reply or if the amendment moved by Sri Vasan is accepted there is no need for my amendment at all being moved.

Mr. SPEAKER.—I understand your viewpoint.

Sri P. M. SWAMIDURAI.—When you think of the total population in the K.G.F. this one seat is against the provisions of the Constitution guaranteeing seats in the Legislature and the local bodies. Therefore I feel that the Government must take suitable action to reserve a number of seats based on population number or at least a reasonable number of seats must be given to them. I know the majority of the people in the K.G.F. are Scheduled Castes and if seats on population basis are considered, I think at least a dozen seats would be occupied by Scheduled Castes on that body. I leave it at that.

With regard to representation of Labour, there is only one to represent Labour. He may be from the Scheduled Castes also. I quite agree. But if he is not a Scheduled Caste man, as I have already said that there is only one Scheduled Caste there, and one Labour representative, I feel that one seat for Labour is not adequate, and that also may be increased.

With regard to nomination of the President by the Government, for the time being it may be all right. But after certain number of years, he must be liable to be replaced. Definite provision must be made in the Bill to have an elected President for the Board after some years.

With these few observations I welcome the Bill.

Mr. SPEAKER.—Now the House will rise for lunch and meet at 3-30 P.M.

The House adjourned for Lunch at Three of the Clock and reassembled at Thirty Minutes past Three of the Clock.

(MR. SPEAKER in the Chair).

Sri K. PATTABHIRAMAN (Kolar).—Sir, I generally welcome the Bill that has been placed before this House. I have followed the history of this Bill as it were. It is no doubt true, as suggested by my Hon'ble friend the Member for K. G. F., that this legislation has had a history of its own. At long last, at any rate, we are seeing this Bill in some form coming before us designed to give statutory powers and statutory form to the aspirations of the people who were agitating for some change in their social and constitutional status all the time. But still, there are certain observations which I should like to make on the Bill as it is.

No doubt an attempt is for the first time made to give an elected majority to the Sanitary Board. As a proposition, that is a welcome change. But then I feel there are certain aspects of the Bill which deserve a lot of pruning and therefore a good deal of improvement. There are two important considerations which I should like the Government to consider.

This Bill envisages that certain villages in the rural parts are to continue within the administrative jurisdiction of this Sanitary Board. I am personally not very certain whether the people of those villages really welcome this kind of a change in their own set up. In fact the history of these villages, as far as I have been able to gather, has been somewhat disappointing. On the one hand they have always received what I may call a step-motherly treatment from the Sanitary Board as such because it is an outlandish rural area with all the necessary disadvantages inherent in the surroundings in which they find themselves. On the other hand, whenever they come before the Government for certain help which other villages in the rural areas are getting, they are always denied by saying that they are part and parcel of the Sanitary Board area. So far as social and economic development and other matters which are necessarily to follow, these villages do not get a fair deal and therefore they are under a double

disadvantage; by being constitutionally linked to the Sanitary Board they do not get the attention which is their just right, whereas, on the other hand, Government turns down their proposal for dealing with them *pari passu* with other villages, in the State. My own feeling is, Sir, this is a matter which requires a little more consideration and personally I feel that these villages do not really welcome this change. But if they accept, I do not stand in the way.

Sir, there is another point. This legislation was expected to be placed before us for a long time and during this interregnum, with the assessment that I have been able to make as regards the change, I personally feel that this change cannot be all to their advantage. I know that because, when the status is going to be changed and a statutory garb is going to be given to them, I do not feel that they are sufficient considerations which will make me enthusiastic such as to expect that the new body will become possessed of sufficient financial stability so as to be able to manage the affairs of these villages which come within the jurisdiction of this Sanitary Board. Considering all this, I feel I must say—I am not criticising this Bill—I am only trying to bring to the notice of the Government that this is a measure which will require a great deal of scrutiny and a great deal of thought has to be bestowed before this Bill can be finalised.

If what I have said is a fact and if I have correctly understood the feelings and sentiments of the people of these rural parts and the Hon'ble Members representing those parts in this House, I feel it should not be difficult for this House to bestow further consideration on this bill and exclude certain villages from the orbit of this Bill because they are part of the Bangarpet taluk to which they naturally belong. They stand to get certain advantages by being outside the Sanitary Board. As a matter of fact, the amendment to the Village Panchayat Act will entitle them to get 12½ per cent. of the land revenue being made out as assignment to these village panchayats. All these advantages will naturally be inherent

and will come to these villages provided they continue as villages outside this Sanitary Board. I strongly feel and I plead in this House on behalf of those villages that this Bill should not be finalised before we give further thought to it. That is one aspect.

There is a second aspect that we have to consider. I say that with some kind of disappointment and I have to draw the attention of the Hon'ble Minister. That relates to the representation that is sought to be given to certain interests, most certainly to be pronounced as wholly inadequate. I am a little disappointed to find the position with reference to the representation for women. In fact, I am one of those who think that a day must come, perhaps as early as possible, when the municipal administration, nay, the local self-administration will go entirely into the hands of women. This is a suggestion which I am making with great deliberation and with great seriousness. Perhaps it is a very natural thing and it is a very natural right. Possibly if our local bodies are managed by and large by a majority of women—I think we will be safer and happier also. After all, home is the place of felicity; home is bliss and home is the place of contentment and that is because, it is the women who take care of the home. The same I feel is true in regard to the local bodies. This is an ideal that I want to place before this House. You are all aware that there is almost a cry as it were everywhere that there is a denial of proper representation to women. If we are not going to give proper representation to women, it amounts to neglecting half of humanity as it were. That is the position. From whatever standpoint we may look at it, I feel that the representation for women on this Board is wholly inadequate. I personally feel and I would be very happy if out of the 21 or 22 that are going to constitute the Sanitary Board, a majority of the number is going to be women. I would be very happy at it and not only that, possibly it may be infectious taken up in the rest of the State. I leave it there.

So far as the labour representation is concerned, I personally feel that it is inadequate in a predominantly industrial area. In fact the importance and the composition and the character of the proposed improved status of the K. G. F. area in the body social and the body politic of Mysore is certainly due to the industrial bias that prevails there. That naturally means that correspondingly it is labour that must play a dominant role. I personally feel that the representation to be given to labour in the Sanitary Board—the solitary vote of one person—cannot be considered to be adequate. This is a matter which will have to be further considered. An argument may no doubt be advanced to say that out of the 15 general seats, it should not be difficult for some of the labour representatives to get elected. I know that argument will be put forward. I can anticipate that argument. But to earmark only one seat for labour in the Board and to say that there will be sufficient opportunities for labour leaders to get elected from the general constituencies—whether it will satisfy labour is a point that requires further consideration.

I also agree with my friend the Hon'ble Member from K. G. F. Sri. Swami Durai when he said that in regard to representation for the Scheduled Castes, there is much to be desired and he said that here also there is a solitary representation of one. That will be against the spirit of the Constitution under which we are working. This is also a matter which requires further consideration.

I am therefore making out a case to say that the Bill is not in a form final in itself such that we are going to be enthused to take it up and say 'Here is a Bill which we will pass *nem. con.*' Not that I want to criticise or condemn the Bill as it has been brought forward. I am only giving certain constructive suggestions in order to make this piece of legislation more acceptable and make it, if possible, universally acceptable.

Then there is the other provision and that is the one relating to the Vice-President. That is a welcome

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change, I grant. But even here, I feel it is necessary for us to introduce a provision in this Bill so that it must be open to the President to delegate all the powers that he is entitled to exercise to the Vice-President. In fact, the election of the Vice-President, the appointment of the Commissioner and the like are mentioned relating to their proper function but with reference to this power of delegation there is nothing mentioned in this Bill.

I would personally feel that a little amplification in this matter is necessary when you provide for the Vice-President. The person who happens to be the President, that is the Deputy Commissioner, living away some sixteen miles from the K.G.F. area, with all the multifarious duties attached to his office, will not be able to pay full attention or do full justification to this office as well. Therefore, I say, it would be better for him if he had a lieutenant, and a trusted lieutenant and a person who has got the good of the place in his mind and it should not be difficult for the official President to delegate all the powers to such a Vice-President. Therefore, I feel it is but necessary that we specifically make a mention that it is open to the official President to delegate all the powers to the Vice-President. Taking all these into consideration, it is better that this Bill goes before a Select Committee so that they may sit and consider all these matters.

Then, Sir, with the nationalisation of the Gold Mines, a possibility which is to be a *fait accompli*, the Mining Proprietor is going to be the Government of Mysore. Under the Bill five members are to be nominated by the Mining Proprietor. After nationalisation, the Mining Proprietor will be the Government of Mysore and therefore they will have the right of nominating five members as Mining Proprietor and five members as Government. This contingency is not very distant; in fact, it is even promised that in this very session a Bill is going to be sponsored before this House. In view

of these changes, Government will have eleven nominated members in a Board which would be otherwise 21 or 22. Therefore, what is now sought to be made out by an elected majority gets reduced with this change when the Government becomes the Mining Proprietor. My own feeling is, therefore, that this Bill will have to be changed enormously.

The standard that is now being maintained by the Mining Authorities in maintaining the sanitation in their area is certainly very good and I hope this House will agree with me when I say that sanitation in that part of the Mining Board is certainly of a very high order and the standard is very high. Therefore we said that a common Municipality to the entire area would not be of much benefit to the inhabitants in the mining area because it would be very difficult for it, with the available resources, to maintain the present standard of sanitation. Therefore, we very justifiably agreed that a common Municipality was not possible. But the day will come when the Government of Mysore will become the Mining Proprietor. I would be very happy if they maintain the present standard of sanitation thereafter also. But, there is a question here; we are assured an elected majority so that Government will reduce its influence and importance to the barest minimum. I feel, in the new change, it may after all become illusory. I want our hope to go about and gain strength abroad so that this measure is only a temporary one and when the Government becomes the Mining Proprietor it will not be difficult for the entire municipal area to have a single Municipality, call it a Municipality or by whatever name. During this interim period, perhaps, this the only course open to us and I appreciate the wisdom of the Government in having brought about this is Bill. With this request to the Government that they may consider the suggestion that this matter be referred to a Select Committee, if necessary, to report during this session itself—within a fortnight—I think this may be passed. With these improvements that I have suggested

I feel this Bill would become more acceptable. With these words I welcome this Bill.

Sri Mulka GOVINDA REDDY (Chitaldrug).—I oppose this Bill, Sir, for these reasons. I do not understand why an amendment is sought to be suggested under the Mysore Mines Act for constituting a Sanitary Board. I would have appreciated if Government had brought forward a separate Bill for this purpose; instead of that, they have brought this amendment Bill under some other Act. Secondly, I am opposed to this Bill because I am not fully satisfied with the provisions adumbrated under this amendment Bill for constituting a Sanitary Board, though it may be an improvement on the existing one. I cannot compromise with the idea of having a Sanitary Board with the nominated members. This is something like Dominion Status. When we clamour for independence, Government has come forward with the plea that Dominion Status will do for K.G.F. Sir, the way in which the Board is to be constituted is also unsatisfactory because under the provisions of this Bill the Deputy Commissioner is sought to be made the ex-officio President of the Sanitary Board.

We know, Sir, and the House knows that, when the District Boards were abolished, their work was entrusted to the Special Officers—the Deputy Commissioners of the Districts. Most of the members stoutly opposed that idea. Formerly, for most of the Municipalities the Assistant Commissioners or the Deputy Commissioners used to be their Presidents. From all sections of the people and from all areas there was an agitation and demand for having elected Presidents. In the K.G.F. area also we know pretty well that the people of this area have been agitating for having a City Municipality. Instead of giving a City Municipality, Government wants to give only a Sanitary Board with an official President nominated by the Government.

Under clause 35 (c) one member shall be a person elected to a seat specially reserved for Trade and

Commerce. Sir, excepting Bangalore Corporation, I do not see representation being given to Trade and Commerce in any other Municipality. Even in Davangere City Municipality where there are innumerable merchants and for a city which is said to be a commercial centre, no representation is given to Trade and Commerce. I do not, therefore, see any reason why representation should be given to Trade and Commerce in this Sanitary Board.

Under clause 35 (d) there is a mention of “five members nominated by the Mining Proprietor.” Hon’ble Member Sri Pattabhiraman has eloquently said already that shortly Government of Mysore is going to become the Mining Proprietor and therefore there is no reason why Government should have the power to nominate five members belonging to the Mining Proprietor or Mining Company.

Sir, the Hon’ble Minister, while placing this Bill before the House for consideration, was pleased to say that at present the Mining Companies were contributing a certain amount for managing the Sanitary Board and providing sanitary amenities to the people of that area. But, there is no provision under this Bill to indicate as to what extent the Mining Companies or the Government would contribute to the Sanitary Board for providing the amenities which are now being enjoyed by the people of that place. It would be better that a statutory provision is inserted here so that even at a future date when the Government become the Mining Proprietor they may not fail to implement the terms of agreement that they may arrive at now with the Mining Companies. I strongly urge for providing such a provision in this Bill.

Under clause 35 (e) it is said that five members are to be nominated by the State Government, of whom one shall be a representative of Labour, one a representative of Scheduled Castes and one a representative of women. According to this, Sir, there would be 30 members in the Sanitary Board and out of 30 members 11 would be nominated members. In all Municipalities there is the single member constituency; if single member constituency is

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introduced in K.G.F. area also for the Sanitary Board, I do not see any reason why any representation is to be given to the interests concerned. Even for the labour I do not see any reason why any representation should be given in this fashion. We know that more than 50 per cent of the people living in that area are labourers and in most of the constituencies the labour representatives are going to be returned to the Sanitary Board. So, I do not see any propriety or reason or right in giving this nomination except for this purpose that the Government could have their own rule in the affairs of the Sanitary Board. Sir, there are Labour Associations in K.G.F. and it is quite possible that Government may encourage a Labour Association of their own liking and they may give representation to such an Association. Again, Sir, one representation is given to Scheduled Castes. I do not mean that representation should not be given to them. But, in certain areas they are predominantly populated and they can easily fight the election and come into this Sanitary Board. Granting that the Scheduled Castes representatives are not going to be elected, Government can provide for reserved seats where the Scheduled Castes can fight the election.

Regarding representation to be provided for women, this is quite inadequate. I know that the labour population in K.G.F. is very enlightened. They know their rights and responsibilities. Even for women there may not be any need to provide separate representation because women themselves can get elected from some of the constituencies there.

4 P.M.

But if the Government feel and if the House feels that the time is not yet ripe, they may provide more representation to the women section of that area. For these reasons that I have stated, I oppose this Bill, though this is a welcome measure.

SRI M. LINGANNA (Nanjangud).—So far as the power to levy tax is

concerned, the proposed sec. 35 (5) (b) says :

“the power to levy, with the previous sanction of the State Government, such tax, rate and fee within the said area as a Municipal Council would be competent to levy under the Mysore City Municipalities Act, 1933 (Mysore Act VII of 1933), for the time being in force.”

I want to draw the attention of the Law Minister to the Municipalities Act of 1951. Under section 2 of the Act, it is stated that on this Act coming into force, the Mysore Town Municipalities Act of 1933 and the Mysore Minor Municipalities Act of 1933 stand repealed. So I believe that no longer the particular enactment of 1933 is in force. At best we can only give powers to the Sanitary Board under the new Act that we have passed and made into law. The 1933 Act is no longer in force since it is repealed.

SRI A. G. RAMACHANDRA RAO.—Probably it should have been ‘The Mysore City Municipalities Act, 1951.’ I will get it examined. I understand.

SRI B. HUTCHE GOWDA (Turuverkere).—Clause (3) of sec. 35 says :

“The State Government may make rules providing for all or any of the following matters—
...the qualifications of candidates for election...the election of the Vice-President....”

Why should it be left to the State Government to make rules? Why not the election of the Vice-President be provided for in the Bill itself? There is no provision in the Bill for the election of the Vice-President at all. “The Deputy Commissioner will be the *ex-officio* President of the Sanitary Board”. Where is the provision for electing the Vice-President?

*SRI H. C. LINGA REDDY (Malur).—In welcoming this Bill I will say a few words. The only thing that is sought to be done now is, in respect of the previous Municipalities Bill that had been introduced, once or twice, I think, now section 35 is substituted by a new section introducing healthier provisions.

While the previous Municipalities Bill had provided for a number of things—the obligatory duties of the municipality, the optional duties of the municipality, the maintenance of roads, the construction of buildings and the issuing of licences and so forth. Now I find either in section 34 an extract of which from the Mysore Mines Act is appended here or is section 35 such matters are not mentioned. The Government itself under section 35 made provision for an elected Sanitary Board without any difficulty whatever, because section 35 had in brief said that the Government may constitute a Sanitary Board with powers to do so many things. To attend to only one or two things, specially sanitation and sanitary administration of any local area, if that was the only purpose I think this Bill was not necessary and the Government even now under the power vested in them under section 35 could have constituted a Sanitary Board. But now what is sought to be done is, they have under this Bill provided that there should be a majority of elected representatives in the Sanitary Board and under clause (3) of section 35 they mention here that the Government may make rules with regard to the way in which the election should be conducted, the qualifications the candidates should possess and all that. They could have as well done this under the old section itself. What I am submitting is that while there is an insistent clamour for the establishment of a municipality there—the Kolar Gold Fields area is an important place with a very heavy population and where people are sufficiently literate,—I do not know whether there is any justification now, instead of introducing a municipality there, for having the same sort of Sanitary Board which we were having hitherto. I think the Sanitary Board that is contemplated in this Bill corresponds to the former Municipalities Acts under which we were having municipal elections and we were having municipalities. Then there was an officer appointed or sometimes an elected President and there were a few members nominated—I think about five or so—the doctor, the Executive

Engineer and some three members to represent some interests and the municipality was going on. I think the Sanitary Board which we are introducing now will correspond only to the constitution of a municipality which we were having in our towns. Now when we are working a democratic Constitution. . . .

Sri A. G. RAMACHANDRA RAO.—I wish to bring this to the notice of the Hon'ble Member because he seems to feel that the proper electoral franchise is not given and the citizen is deprived of his rights. It is not the case. Section 35 (2) says :

“So much of the electoral roll or rolls for the Assembly constituency or constituencies as relate to the area comprised within the jurisdiction of the Sanitary Board shall be the electoral roll for that area.....”

Therefore, the election of two-thirds of the Board will be conducted on the basis of adult franchise and the other one-third are to be nominated by the Mining Proprietor and the State Government. That apart, they have not got that practice now. We have enlarged the franchise and thrown it open to two-thirds of the Board's Members who have the right to be elected members. That may be borne in mind.

Sri H. C. LINGA REDDY.—No doubt the Sanitary Board contemplated is not fully democratic. No doubt provision is made that the members should be elected on adult franchise and all that. If that is so, in municipal areas where we are having the Town Municipalities Act in operation there are elected Presidents. But the President happens to be the Deputy Commissioner here. I think the Deputy Commissioner will be full of work with so many items on hand. There is hardly any time for him to attend to any work connected with the Sanitary Board. That too, the Deputy Commissioner has to preside over the meetings in K.G.F. He will have no enthusiasm or any incentive in the type of work that he has to attend to *viz.* the sanitation and health matters. Because he will

(SRI H. C. LINGA REDDY.)

not have sufficient time. He can only go there, preside over a meeting, hear the members, take a decision and come away. Once a week or a fortnight he may go there. When he is fully occupied with other items of work, I feel the Deputy Commissioner is not the proper sort of person that has to preside over the meetings of the Sanitary Board. No doubt there is the Vice-President. What the powers, of the President and the Vice-President are, are not mentioned here and I think Sri Pattabhiraman was saying that unless the President has the power to delegate his powers to the Vice-President, the Vice-President cannot act at all. Therefore, I submit that provision may be made for the election of the President himself. Since all the town municipalities are having elected Presidents, I do not see why they should not have an elected President here. Of course, there is one point. There are two areas—the mining area and the Sanitary Board area. For the Sanitary Board area there may be a municipality and for the mining area there is the Mining Board. The two can be demarcated from each other. For the running of the Mining Board the mining authorities are there and the Government also should have some representatives. But so far as the running of the Sanitary Board is concerned, I think instead of calling it a Sanitary Board we may call it a municipality and demarcate the powers as between the President and the Vice-President and also with regard to the duties and the functions that the Sanitary Board or the Municipality that I propose to have should carry out. These matters should be made clear. We have only a few purposes that are mentioned here in section 34. We don't have anything about the construction of roads or the maintenance of roads or the improvement of the town, about the lay out of the town or any other things such as the licensing for the construction of houses and so on. I think there is a good deal of lacuna in the Bill as it is brought. Therefore, I submit that the Bill may be referred to a Select Committee so

that they may go into all aspects and make provision for some of the things that I have pointed out.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—ಸ್ವಾಮಿ, ನಾನು ಈ ಮಸೂದೆಯನ್ನು ಸೆರೆಕ್ಸ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸಬೇಕೆಂದು ಸೂಚಿಸುತ್ತೇನೆ. ಏಕೆಂದರೆ ಈ ಬಿಲ್ಲು ಬಂದಿರತಕ್ಕ ಸ್ಥಳಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಶ್ರೀ ಕೆ. ಪಟ್ಟಾಭಿ ರಾಮೇಶ್ವರವರೂ, ಶ್ರೀ ವಾಸೇಶ್ವರವರೂ ಮತ್ತು ಶ್ರೀ ಸ್ವಾಮಿದೊರೆಸ್ವಾಮಿ ಇತ್ಯಾದಿಯವರನ್ನೂ ಇದನ್ನು ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಸ್ವಾಗತಿಸಿದ್ದಾರೆ. ಆದರೆ ಅವರೆಲ್ಲರೂ ಈ ಮಸೂದೆಯನ್ನು ಒಂದು ಕಂಡೀಷನ್‌ಮೇಲೆ ಸ್ವಾಗತಿಸಿರುತ್ತಾರೆ. ಬರಿಯ ಕೈಗಿಂತ ಹಿತ್ತಾಳೆಯ ಕಡೆಗವಾ ದರೂ ಇರಲಿ—ಎಂಬ ನಾದುನುಡಿಯಂತೆ ಅವರು ಹೇಳಿದ್ದಾರೆ. ಹೀಗೆ ತಾವು ತಂದಂಥ ಕೆಲವು ಬಿಲ್ಲುಗಳಿಗೆ ಬೇಕೇ ಕಾಣದಂತಾಗಿದೆ. ಈಗ ತಾವು ತಂದಿರುವ ಬಿಲ್ಲು ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಅನ್ವಯಿಸತಕ್ಕದ್ದಾಗಿಯೂ ಇಲ್ಲ, ಸ್ವಾಮಿಬರಿಯ ಬೋರ್ಡ್ ಪ್ರದೇಶಕ್ಕೆ ಅನ್ವಯಿಸತಕ್ಕಂಥ ಬಿಲ್ಲು ಅಲ್ಲ. ಮೈನಿಂಗ್ ಏರಿಯಾಕ್ಕೆ ಅನ್ವಯಿಸುವ ಬಿಲ್ಲಾಗಿಯೂ ಇಲ್ಲ. ಹೀಗೆ ಇದು ಯಾವ ದೊಂದಕ್ಕೂ ಅನ್ವಯಿಸದೆ ಮೂರಕ್ಕೂ ಬಿಟ್ಟಂಥ ಮಸೂದೆಯಾಗಿದೆ. ಅದಕಾರಣ ಇದು ಬಹಳಮಟ್ಟಿಗೆ ತಿದ್ದುಪಡಿಯಾಗಬೇಕಾಗಿದೆ. ಇದನ್ನು ಸೆರೆಕ್ಸ್ ಸಮಿತಿಗೆ ಕಳುಹಿಸಬೇಕೆಂದು ಸೂಚಿಸುತ್ತೇನೆ. ಇಲ್ಲಿಯ ವರೆಗೂ ಮೈನಿಂಗ್ ಏರಿಯಾದಲ್ಲಿ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರು ಅಧ್ಯಕ್ಷರಾಗಿಯೂ, ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರು ಡೆಪ್ಯುಟಿ ಪ್ರೆಸಿಡೆಂಟರಾಗಿಯೂ ಇರುತ್ತಿದ್ದರು. ತಾವು ಈ ಮಸೂದೆಯ ಕ್ಲಾಜ್ 2(ii)(ಸಿ)ನಲ್ಲಿ ಮುಂದಕ್ಕೆ ಈ ಉಪಾಧ್ಯಕ್ಷರ ಚುನಾವಣೆ ಬಗ್ಗೆ ರೂಲ್ಸ್ ವಗೈರೆ ಮಾಡುವುದಾಗಿ ತಿಳಿಸಿದ್ದೀರಿ. ಆದರೆ ಆ ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರು ಇರಬೇಕು ಎಂಬುದನ್ನು ಮಾತ್ರ ನೀವು ಹೇಳಿಲ್ಲ.

ಉದಾಹರಣೆಗೆ, ಮೈನಿಂಗ್ ಪ್ರೊಪ್ರೈಟರಿಗಳು ಐದು ಜನ ಸದಸ್ಯರನ್ನು ನಾಮಿನೇಟ್ ಮಾಡಬಹುದು ಎಂದು ಹೇಳುತ್ತೀರಿ. ಅಲ್ಲಿ ನಾಲ್ಕು ಮೈನ್ಸ್ ಇವೆ. ಆದರೆ ಒಂದೆರಡು ಮುಚ್ಚಿರಬಹುದು, ಮುಚ್ಚಿದೇ ಇದ್ದರೂ ಇರಬಹುದು. ಆ ಐದು ಜನರನ್ನು ಯಾವ ರೀತಿ ನಾಮಿನೇಟ್ ಮಾಡುವುದು? ಎಲ್ಲವೂ ಒಂದೇ ಕಂಪನಿಯೇ! ಬೇರೆ ಬೇರೆ ಕಂಪನಿಗಳಾಗಿ ರಿಜಿಸ್ಟರ್ ಆಗಿಲ್ಲವೇ! ಆ ಐದು ಜನರನ್ನು ಚುನಾಯಿಸುವುದು ಯಾರಿಗೆ ಸೇರಿದ್ದು ಎಂಬುದನ್ನು ನಿಗದಿಪಡಿಸಿಲ್ಲ. ಮತ್ತು ಸ್ವಾಮಿಬರಿಯ ಬೋರ್ಡಿಗೆ 18 ಜನರನ್ನು ವಯಸ್ಕರ ಮತದಾನ ಪದ್ಧತಿಯಮೇಲೆ ಚುನಾಯಿಸುತ್ತೀರಿ. ಅದರಲ್ಲಿ ಗ್ರಾಮಾಂತರ ಪ್ರದೇಶಗಳಿಗೆ ಮೂರು ಸೀಟು ಕೊಟ್ಟಿದ್ದೀರಿ. ಲೇಬರ್ ರೆಪ್ರೆಸೆಂಟೇಟಿವ್‌ನ್ನು ಸರ್ಕಾರದವರು ನಾಮಿನೇಟ್ ಮಾಡಬೇಕಾದ ಕಾರಣ ಏನಿದೆ! ಎಂಬುದು ಅರ್ಥವಾಗುವುದಿಲ್ಲ. ಅಂತೂ ಸೆರೆಕ್ಸ್ ಕಮಿಟಿಗೆ ಹೊಗುವುದಕ್ಕೆ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆಯಂತೆ. ಆದ್ದರಿಂದ ಮುಂದೆ ಹೆಚ್ಚು ಹೇಳದೆ ಸೆರೆಕ್ಸ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸಿ ಎಂದು ಹೇಳುತ್ತೇನೆ.

Sri A. G. RAMACHANDRA RAO.—Sir, it has been brought to the notice of this House already that two prior Bills went into Select Committee but they did not proceed further. I do not want that that fate should overtake this Bill. I have a mind to send this to a Select Committee. It may be

seen that we have provided for adult franchise as I have pointed out and we have also provided for powers to levy taxes as per the City Municipalities Act. That shows how wide we had looked into the matter.

It was brought to my notice that the Mysore City Municipalities Act of 1933 had been repealed. I have got it verified. It is only the Mysore Town Municipalities Act that has been repealed and not the City Municipalities Act. Therefore it is quite all right.

Thus it can be seen that both in respect of powers and franchise, this is quite all right.

The only point is, that provision has been made for nominating persons.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಇದುವರೆಗೂ restricted franchise ಇತ್ತು, ಅಲ್ಲವೇ ?

Sri A. G. RAMACHANDRA RAO.—Yes, the one point on which I want to throw some light is: why, this being a municipal body, we are introducing nominated element here, which is out of tune with the existing arrangements in all the other places. That is precisely what I said in my opening remarks, namely, the other bodies like the Mining Board have been a source of support to the municipality and therefore, in order that their services may continue we were constrained to put in, to take their help, by giving them some powers of nomination. This may not be an idealistic measure. It is not certainly. But it is a practical measure to satisfy those people who give money and to take their support.

I may also inform the House that informally we have consulted the present Sanitary Board, leading members of that place, legislators of that place, the mining people and all of them feel that this is quite a practicable measure.

Even so, since it is out of tune with the existing municipal legislation, Government want to secure ample support for this and therefore on that ground I am prepared to refer this Bill to a Select Committee so that it may give a report within a fortnight.

L.A.

Mr. SPEAKER.—The question is:

“That the Mysore Mines (Amendment) Bill, 1955 be taken into consideration.”

*The motion was adopted.
Motion to refer.*

Sri A. G. RAMACHANDRA RAO.—
I move:

“That the Mysore Mines (Amendment) Bill, 1955, be referred to a Select Committee consisting of—

- 1 Sri T. Channiah
- 2 Sri K. Pattabhiraman
- 3 Sri K. S. Vasana
- 4 Sri P. M. Swamidurai
- 5 Sri H. C. Linga Reddy
- 6 Sri Sydney A. Thomas
- 7 Sri G. Narayana Gowda
- 8 Sri T. Hanumiah
- 9 Sri R. K. Prasad
- 10 B. P. Nagaraja Murthy
- 11 Sri Ijari Sirasappa
- 12 Sri D. R. Kari Gowda
- 13 Srimathi B. L. Subbamma

with a direction to report within 15 days.”

Mr. SPEAKER.—The question is:

“That the Mysore Mines (Amendment) Bill, 1955, be referred to a Select Committee consisting of

- Sri T. Channiah
- Sri K. Pattabhiraman
- Sri K. S. Vasana
- Sri P. M. Swamidurai
- Sri H. C. Linga Reddy
- Sri Sydney A. Thomas
- Sri G. Narayana Gowda
- Sri T. Hanumiah
- Sri R. K. Prasad
- Sri B. P. Nagaraja Murthy
- Sri Ijari Sirasappa
- Sri D. R. Kari Gowda
- Srimathi B. L. Subbamma

with a direction to report within 15 days.”

The motion was adopted.

Mr. SPEAKER.—Now, under Rule 56 of the Rules of Procedure the Minister for Law is a member of the Select Committee and under Rule 57, I appoint the Minister for Law as the Chairman of the Select Committee.

Sri A. G. RAMACHANDRA RAO.—
ir, regarding the next Bill, namely,
the Mysore Essential Services (Maintenance) Amendment Bill, 1955, several
leading members of this House have
thrown some light on some aspects of
the problem and Government desires to
consider them further before pursuing
it in this Hon'ble House. Therefore I
beg permission not to move it for the
present.

Mr. SPEAKER.—Then the House
will now rise for the day and meet on
Monday the 27th February at Twelve
of the Clock.

*The House adjourned at Twenty-five
Minutes past Four of the Clock to meet
again at Twelve of the Clock on Monday,
the 27th February 1956.*
